

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, June 21, 2004, the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(222) In the matter of: T-04.41.R1 - On May 18, 2004, The Montana Tariff Bureau, Agent for Mergenthaler Transfer & Storage Co., in an independent action, filed an application to increase rates and charges in Item 265 of Household Goods Tariff No. 1, of between 7.85% and 7.99%. This increase limited to those movements conducted by Mergenthaler within a 35 mile radius of Kalispell, Montana. The rate increase application was noticed to the public on May 27, 2004 and no protests have been received.

Commissioner Schneider moved to approve the rate increase application. Commissioner Brainard seconded the motion, which passed unanimously.

(223) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of June 7, 2004. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Tina Shorten

(224) In the matter of the Commission's discussion of CLEC forum/post-271 monitoring of Qwest:

Commissioner Schneider moved to publish the Preliminary Report on Unresolved Issues from CLEC Forum and from Multi-State Review of Qwest's Performance Indicator Definitions. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Joel Tierney, Martin Jacobson

(225) In the matter of the Commission's discussion of Liberty Gas Marketing's Application for Natural Gas Supplier License – Docket No. N2004.4.64:

Commissioner Schneider moved to approve Liberty Gas Marketing Application for a Natural Gas

Supplier License. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Robin McHugh

(226) In the matter of the Commission's discussion of travel to the 2004 NARUC Summer meeting in Salt Lake City, July 11-14, for Monica Tranel and Marla Larson:

Commissioner Stovall moved to approve Monica Tranel's and Marla Larson's out-of-state travel to NARUC in Salt Lake City. Commissioner Schneider seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGSON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary
(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, June 23, 2004, at 9:00 a.m. the following members were present:

Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner via telephone
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

APPEARANCE
Monica Tranel, Gary Duncan

(227) In the matter of the Commission's discussion of Western Wireless; MITS, MTA, Ronan and Hot Springs:

Commissioner Jergeson moved to accept filing of MTA, but to direct MTA to identify the carriers on whose behalf the filings are made, and to comply in the future with ARM 38.2.314. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 0.

Commissioner Jergeson moved to sustain MITS objections to data requests 13 & 22, and requests for Production 7 & 8. Ruling is reserved on Western's request to limit the admissibility of evidence at hearing to that which has been produced through discovery. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 0.

Commissioner Stovall moved to overrule MITS objection to data request #16 and to provide information requested by July 1, 2004, and a work session may be held to discuss any request for protective order. Commissioner Brainard seconded the motion, which passed with a vote of 4 to 0.

Commissioner Stovall moved to sustain MTA's objection to data requests 7, 11, 13, 21, & 22. Objections to admittance of evidence may be renewed at time of hearing and the Commission will address such motions in accordance with procedural rules. Commissioner Schneider seconded the motion, which passed with a vote of 4 to 0.

Commissioner Jergeson moved to overrule MTA's objection to data requests #16, 23 and requests for production 5 and 6 and to provide information by July 1, 2004. MTA may request any necessary protective order. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 0.

Commissioner Jergeson moved to sustain Ronan and Hot Springs objection to data requests 7, 11, 15, 21, and 22. Ruling is reserved on Western's request to limit the admissibility of evidence at hearing to that produced through discussion. Commission will add such motions in accordance with governing procedural rules. Commissioner Stovall seconded the motion, which passed 4 to 0.

Commissioner Stovall moved to overrule Ronan and Hot Springs objections to provide requested information by July 1, 2004 to data request 16, 23 and request for production 5 and 6. Ronan and Hot Springs may request any necessary protection order. Commissioner Schneider seconded the

motion, which passed with a vote of 4 to 0.

APPEARANCE

Marla Larson

(228) In the matter of the Commission's discussion of organization of MISO States (OMS) comments on grandfathered transmission agreements:

Commission Jergeson moved to advise OMS states that the Montana Commission is not prepared to support comments at this time and we will try to prepare additional comments as a late file and seek with other states to develop comments that may be most problematic for states. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 0.

APPEARANCE

Robin McHugh

(229) In the matter of the Commission's discussion of the Application of NorthWestern Energy's electric default supply tracker Docket No. D2004.6.90:

Commissioner Jergeson moved to deny the application without prejudice to any future filing that fully complies with the Commission rules and the Great Falls Tribune decision. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 0.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary
(SEAL)